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## **U.S.** Department of Justice

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

May 25, 2022

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## **BY ECF**

Hon. Mary Kay Vyskocil United States District Judge Southern District of New York 500 Pearl Street New York, New York 10007

Re: United States v. Leuris Sabala-Mejia, 21 Cr. 225 (MKV)

Dear Judge Vyskocil:

The Government writes in response to the Court's order dated May 25, 2022. See Dkt. No. 115. First, the Government apologizes for two significant typos in its letter motion dated May 24, 2022. See Dkt. No. 113. The Government's original deadline to respond to the defendant's motion was not May 12, as the Government wrote, it was May 13. See Dkt. No. 98. Accordingly, based on the Government's prior request for a two-week extension, the Court had adjourned the deadline to respond to May 27, not May 24. See Dkt. No. 112. For this reason, the Government filed its second motion for a two-week adjournment yesterday, May 24, more than 72 hours before the actual motion deadline, pursuant to the Court's Individual Rule 1.G. The Government thus understood its motion as timely, but failed to communicate that properly given the Government's typos. 1

<sup>&</sup>lt;sup>1</sup> The Government also apologizes for its prior error in filing an untimely first request for an adjournment, *see* Dkt. No. 112, and attempted (but failed) to correct its initial error in yesterday's motion.

Accordingly, the Government respectfully renews its request for an additional request for a two-week adjournment, *nunc pro tunc*, or, in the alternative, respectfully requests that the Court treat this letter as a third request and excuse the Government's untimeliness in filing today for good cause based on the Government's failure to communicate the motions deadlines properly to the Court yesterday and the parties' continuing disposition negotiations. The defendant consents. Otherwise, the Government will file its opposition brief by May 26 at 5:00 p.m.

Respectfully submitted,

DAMIAN WILLIAMS United States Attorney

by: \_\_\_/s/

Matthew R. Shahabian Assistant United States Attorney (212) 637-1046

cc: Susan Marcus, Esq. (by ECF)

The government's opposition is due June 10, 2022. No further extensions of time to file the opposition will be granted.

Date: May 25, 2022 New York, New York

United States District Judge